



Department of Defense **DIRECTIVE**

November 16, 1994
NUMBER 1344.13

DA&M

SUBJECT: Implementation of the National Voter Registration Act (**NVRA**)

- References: (a) Section 1973gg of title 42, United States Code, 'National Voter Registration Act of 1993'
- (b) DoD Directive 5105.53, "**Director** of Administration and Management," May 24, 1988
- (c) DoD Directive 1000.4, "Federal Voting **Assistance** Program," November 25, 1980
- (d) DoD Directive 5124.2, "Under Secretary of Defense for Personnel and Readiness (**USD(P&R)**)," March 17, 1994
- (e) Section 3501 of title 44, United States Code

A. PURPOSE

This Directive implements **reference** (a), wherein the Secretary of Defense is designated to develop and **implement**, jointly with each State, procedures for persons to apply to register to vote at recruitment offices of the Armed Forces, and designates the Director of Administration and Management Office of the **Secretary** of Defense (**DA&M, OSD**), as lead DoD official to carry out this responsibility on behalf of the Secretary of Defense, consistent with references (b) and (c).

B. APPLICABILITY

This Directive applies to

1. The **Office** of the Secretary of Defense (**OSD**), the Military Departments, the Chairman of the Joint Chiefs of Staff, the Unified Combatant Commands, the Inspector General of the Department of Defense, the Uniformed Services University of the Health Sciences, the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "the DoD Components").
2. The U.S. Coast Guard through interagency agreement.

C. DEFINITIONS

1. Armed Forces. The Army, Navy, Air Force, Marine Corps, Coast Guard, and their Reserve components.

2. Election. A general, special, primary, or runoff election to select candidates or nominees for Federal, State or local **office** or issues on State or local ballots.

3. Federal Office. The office of President or Vice President, or of Senator or Representative in, or Delegate or Resident Commissioner to, the U.S. Congress.

4. Recruitment Offices of the Armed Forces. Any **office** of a DoD component or the Coast Guard open to the public, engaged in the recruitment of persons for appointment or enlistment in an active component of the Armed Forces. This does not include Army National Guard and Air National Guard recruiters.

5. State. A State of the United States, or the District of Columbia.

6. Voter Registration Agency. An office designated under 42 **U.S.C. 1973gg** (reference (a)) to perform voter registration activities. A recruitment office of the Armed Forces is considered to be a voter registration agency of the State in which the office is located.

D. POLICY

1. General

a. It is DoD policy to comply with all requirements of **NVRA**, and heads of the DoD Components shall cooperate with DA&M, OSD, and the Assistant Secretary of Defense for Force Management Policy (**ASD(FMP)**) in the implementation of **NVRA**.

b. The right of U.S. citizens to vote shall be protected, and discriminatory and unfair registration **procedures** shall be prohibited.

c. The names of persons applying or declining to register to vote may be used only for voter registration **purposes** and may not be released for any other purpose.

d. The NVRA applies to all U.S. citizens.

2. Restriction

a. Military or civilian personnel employed in recruitment **offices** of the Armed Forces shall not:

(1) Make any statement or take any action to discourage eligible citizens or prospective **enlistees** from registering to vote.

(2) Make any statement or take any action to lead eligible citizens or prospective **enlistees** to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

(3) Seek to influence the political preference or party registration of an eligible citizen or prospective **enlistee**.

(4) Display any such political **preference** or party allegiance.

b. Consistent with **NVRA**, a person, including an election official, in any election for Federal office, shall not knowingly and **willfully**:

(1) Intimidate, threaten, or coerce any person **for**:

(a) Registering to vote, or voting, or attempting to register or vote.

(b) Urging or aiding any person to register to vote, to vote, or to attempt to register or vote.

(c) Exercising any right under **NVRA**.

(2) Defraud, or attempt to deprive or defraud the residents of a State of a fair and impartially conducted election process, by

(a) Procuring or submitting voter registration applications that are known by the person to be materially false, fictitious or fraudulent under the laws of the State in which the election is held.

(b) Procuring, casting or tabulating ballots that are known by the person to be materially false, fictitious or fraudulent under the laws of the State in which the election is held.

E. RESPONSIBILITIES

1. The ~~Director of Administration and Management Office of the Secretary of Defense~~, shall:

a. Be the lead DoD **official** for developing and coordinating policy in accordance with **NVRA**.

b. Develop and coordinate with the States the implementation and operational procedures for persons to apply to register to vote at recruitment **offices** of the Armed Forces.

c. In coordination with **ASD(FMP)**, develop the internal DoD procedures for implementation and compliance with **NVRA**. Guidance and direction to the Armed Forces shall be through established channels under DoD Directive 5124.2 (reference (d)).

d. In coordination with the Services through the Assistant Secretary of Defense for Force Management Policy, develop training materials that may be required at recruitment **offices** of the Armed Forces to provide voter registration assistance.

e. Compile a statistical analysis of voter registration assistance **provided**; report to the Federal Election Commission an assessment of the impact of providing this **assistance**; and make recommendations for improvements in Federal and State procedures, forms and other matters affected by **NVRA**.

f. Maintain a problem resolution hotline for use by personnel assigned to recruitment offices of the **Armed** Forces and State election officials to answer questions concerning **NVRA**.

2. The Assistant **Secretary** of Defense for **Force Management Policy**, in coordination with DA&M, OSD, shall coordinate and develop policy, and monitor the activities of the recruitment **offices** of the Armed Forces, through the Secretaries of the Military Departments, on the implementation of **NVRA** and the policies in section D., above.

3. The Inspector General of the **Department** of **Defense** and Secretaries of the **Military Departments** shall ensure that inspections of recruitment offices of the Armed Forces include a **review** of compliance with this Directive.

4. The Secretaries of the **Military Departments** and the **Commandant** of the Coast Guard shall:

a. Provide the necessary support that maybe required to comply with this Directive.

b. Ensure that all personnel assigned to recruitment **offices** are informed of these policies and that training deemed necessary to carry out the voter registration assistance is provided using materials developed by DA&M, OSD.

c. Provide for compilation and reporting of statistical information that maybe required by DA&M, OSD, as directed by **ASD(FMP)**.

d. Ensure that the recruitment **offices** of the Armed Forces shall:

(1) Provide to each prospective **enlistee** the DD Form 2644, "Mail Voter **Registration** Application," and DD Form 2645, "Voter Registration Information," as specified in **NVRA**, and designated by DA&M, OSD.

(2) Distribute to each eligible citizen the DD 2644 and provide assistance in completing the form unless the applicant refuses such assistance.

(3) Transmit all completed registration applications in a timely manner to the appropriate State election officials, as designated by DA&M, **OSD**.

(4) Provide to each eligible citizen or prospective **enlistee**, who does not decline to register to vote, the same degree of assistance for the completion of the DD 2644 as is provided by the office for the completion of its own forms, i.e., application for enlistment, unless the person refuses such assistance.

(5) Maintain statistical information and records on voter **registration** assistance in the format prescribed by DA&M, OSD, in coordination with **ASD(FMP)**.

F. INFORMATION REQUIREMENTS

1. The Federal Election Commission is exempt from interagency licensing requirements in accordance with Federal Information Resources Management Regulation 201-9-202-2(2) (ii).

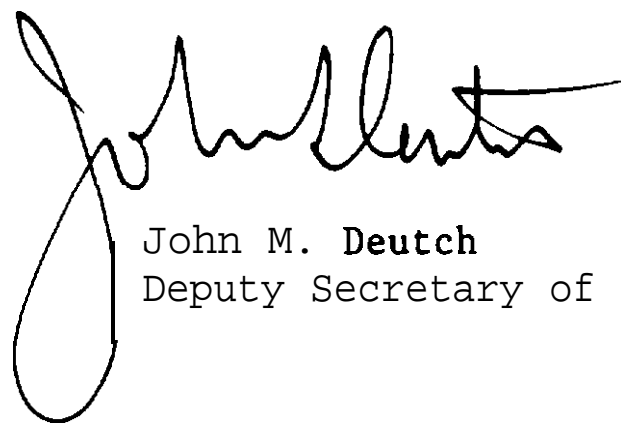
2. The reporting requirement for the DoD Components in subparagraph **E.4.d.(5)**, above, has been assigned Report Control Symbol **DD-DA&M(AR) 1948**.

3. The reporting requirement for the Coast Guard in subparagraph **E.4.d.(5)**, above, has been assigned Interagency Report Control Number **0424-DOD-QU**.

4. The reporting requirement in subparagraph **E.4.d.(5)**, above, is exempt from licensing requirements of Section 3501 of 44 **U.S.C.** (reference (e)).

G. EFFECTIVE DATE

This Directive is effective immediately.



John M. **Deutch**
Deputy Secretary of Defense